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201637

Docket No. 4290-4000

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): OYSTEIN. IHLE, ET AL.

Group Art Unit: 1637

Serial No.: 09/870,128

Examiner: Heather Calamita

Filed: May 30, 2001

For: METHOD FOR SEPARATING NUCLEIC ACIDS INTO POPULATIONS

EXPRESS MAIL CERTIFICATE

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

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Date of Deposit: August 9, 2005

I hereby certify that the following attached paper(s) and/or fee

1. INFORMATION DISCLOSURE STATEMENT
2. INFORMATION DISCLOSURE CITATION FORM PTO-1449A
3. CITED REFERENCE (1) (European Patent Application 0 370 694 A2)
4. RETURN RECEIPT POSTCARD

are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. §1.10 on the date indicated above and is addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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INFORMATION DISCLOSURE STATEMENT

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Sir:

Pursuant to Rule 56, applicant hereby calls the attention of the Patent Office to the references listed on the attached Form PTO 1449.

Copy(ies) of these references:

- ☒ are attached (i.e., U.S. Patents, Foreign Patents, Other Documents)
- ☐ were filed in related application U.S. Serial No(s) _____, filed _____, respectively.
- ☐ are not required since the application was filed on or after June 30, 2003, and the disclosed references are U.S. Patents or Publications. see MPEP, 8th Edition, Revision No. 2, May 2004, Section 609, Part III A(2)(A).
- ☐ This document is being filed within three (3) months of the filing date of the application
- ☐ A check for the requisite fee of \$180 is enclosed.
- ☐ This document is being concurrently filed with the above-identified application
- ☐ This document is being concurrently filed with an Request for Continued Examination (RCE)
- ☒ This document is being filed prior to a first Office Action
- ☐ This document is accompanied by a Search Report/Communication cited in a corresponding PCT or foreign counterpart application.
- ☒ The Commissioner is hereby authorized to charge any additional fees which may be required for this Information Disclosure Statement, or credit any overpayment to Deposit Account No. 13-4500, Order No. 4290-4000. A DUPLICATE COPY OF THIS SHEET IS ATTACHED.

Respectfully submitted,
MORGAN & FINNEGAN, L.L.P.

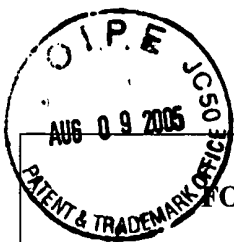
Dated: August 9, 2005

By: _____

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| FORM PTO-1449A INFORMATION DISCLOSURE CITATION | Attorney Docket: 4290-4000 | Serial No.: 09/870,128 |
| | Applicant: Oystein IHLE et al. | |
| | Filing Date: May 30, 2001 | Group Art Unit: 1637 |

U.S. PATENT / PUBLICATION DOCUMENTS

| Examiner Initial | | Patent/Publication Number | Publication/Issue Date | Name | Filing Date |
|------------------|-----|---------------------------|------------------------|------|-------------|
| | 1. | | | | |
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FOREIGN PATENT DOCUMENTS

| Examiner Initial | | Patent Number | Publication Date | Country | Copy Filed | Translation |
|------------------|-----|---------------|------------------|---------|---|---|
| | 15. | EP 0370694 A2 | 5/30/1990 | EP | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |
| | 16. | | | | <input type="checkbox"/> Yes | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| | 17. | | | | <input type="checkbox"/> Yes | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| | 18. | | | | <input type="checkbox"/> Yes | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| | 19. | | | | <input type="checkbox"/> Yes | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| | 20. | | | | <input type="checkbox"/> Yes | <input type="checkbox"/> Yes <input type="checkbox"/> No |

| | |
|---|-----------------|
| Examiner | Date Considered |
| EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP §609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant. | |